



## BUTTE-SILVER BOW

Office of Council of Commissioners

Courthouse  
Butte, Montana 59701

RECEIVED

OCT 13 2017

COMMUNICATION

17-531

October 12, 2017

Chief Executive Dave Palmer  
Butte-Silver Bow Council of Commissioners  
155 W. Granite Street  
Butte, MT 59701

### RE: Challenge To U. S. Environmental Protection Agency

Chief Executive Palmer and Council of Commissioners:

I am submitting this communication requesting that the Chief Executive, on behalf of the Council of Commissioners and all residents of Butte-Silver Bow, contact ranking representatives of the Environmental Protection Agency (EPA) and schedule their appearance before the Council as soon as possible. The EPA officials need to appear and respond to claims in a recently released, EPA-sanctioned Report that certain and significant areas in Butte, aka "West Side Soils" have not been addressed as part of overall Superfund cleanup actions.

The published findings and claims in this Report have raised numerous questions in the Butte community and serious concerns among our citizens about whether a proper cleanup and restoration will ever be accomplished. Despite these concerns, the EPA has been nonresponsive and has not explained the Report's findings in the context of protecting our community's human health and environment. We deserve an explanation and apparently need to demand a response.

At this time, I would also like to recall attention to Council Resolution No.15-24, passed unanimously by the Council and submitted to the EPA, as well as the Montana Department of Environmental Quality, and the Montana Natural Resource Damage Program, among several others. One section of the Resolution (see below) underscores my thoughts and reasons for requesting this appearance by EPA representatives:

***"A responsible cleanup and comprehensive restoration of the historic Silver Bow Creek Corridor, the Butte Hill, the Montana Pole Treatment Plant and Berkeley Pit is essential in moving our community forward. Requesting that said cleanup and restoration is permanent, effective and in the best interest, health and welfare of the citizens of Butte-Silver Bow is essential."***

After EPA's appearance and after considering its responses, I would also ask the Chief Executive, his staff, and Council members to express your thoughts and input on what actions may be needed. It may be high time to take the federal and state regulatory agencies to task.

Sincerely,

Jim Fisher TW  
Butte-Silver Bow Commissioner  
District No. 6